

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SOFTWARE FOR MOVING, INC., a New
York Corporation,

Plaintiff,

v.

LA ROSA NEW YORK DEL MONTE
EXPRESS, INC., a New York Corporation, and
LA ROSA NEW YORK DEL MONTE
EXPRESS (CHICAGO), LLC, an Illinois Limited
Liability Company,

Defendants.
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CASE NUMBER: 08-cv-00986 (JGK)

Assigned Judge: John G. Koeltl

Designated
Magistrate Judge: Douglas Eaton

NOTICE OF MOTION

ECF CASE

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Kevin Harrington, dated February 21, 2008, and the exhibits thereto, and the accompanying Memorandum of Law dated February 21, 2008, Defendants, La Rosa New York Del Monte Express, Inc. and La Rosa New York Del Monte Express (Chicago), LLC, will move this Court, before the Honorable John G. Koeltl, at the Courthouse located at 500 Pearl Street, New York, New York 10007, on March 21, 2008 at 9:30 a.m., or as soon as the Court so directs, for an Order granting reconsideration and relief from the stay of Arbitration contained in the December 7, 2007 Order of the Hon. Joan B. Gotschall pursuant to Federal Rule of Civil Procedure 60(b), and granting such other and further relief as the Court deems just and proper.

Dated: White Plains, New York
February 21, 2008

Respectfully submitted,

s/ Kevin J. Harrington
By: _____
Kevin J. Harrington (KH-5027)

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